IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

S.A.No.241 of 2004

(Bapusaheb L.Kolse V/s.Sidheshwar Ramhari Deshmukh & Ors.)

Office Notes, Office Memo-randa of Coram, Apperances Courts orders or directions and Registrar's orders	Court's or Judges Orders

Mr.S.M.Shettigar for the Appellant.
Mr.S.S.Patwardhan for the Respondents.

CORAM: DR.S.RADHAKRISHNAN,J.
DATE : 13th July, 2006

P.C.:

1. Heard the learned Counsel for the parties. Perused the trial Court's judgment and order wherein the Appellant had succeeded. Also perused the lower Appellate Court's judgment and order, whereby the lower Appellate Court had allowed the Appeal and had declared the sale deed executed by the Defendant No.1 in favour of the Appellant No.1 therein to be void and without considertion. In that behalf the learned lower Appellate Court has observed in paragraph No.29 of its judgment that the aforesaid sale deed was challenged before the tenancy Court and the same was declared to be bad by the Competent Court under Section 43 of the Bombay Tenancy and Agricultural Lands Act. In view of the said clear finding of fact there is no substantial question of law involved in this Appeal. Appeal therefore stands dismissed.

(DR.S.RADHAKRISHNAN,J.)